

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 23-cr-212

DEMARIO ROBINSON,

Defendant.

UNOPPOSED MOTION TO ADJOURN SENTENCING HEARING

Demario Robinson, by undersigned counsel, moves this Court for an order adjourning sentencing hearing by three weeks. The government does not object to this request. In support, Robinson invites the Court's attention to the following:

1. On July 8, 2024, the parties filed a plea agreement, R. 44., and on July 24, 2024, Robinson entered guilty pleas to the indictment's Count One, illegal possession of a firearm under § 922(g)(1), and Count Six, smuggling contrary to §§ 545 and 2(a), pursuant to that agreement. At that hearing, the Court notified the parties that the sentencing hearing would occur on October 24, 2024.

2. At the time of the sentencing hearing, undersigned counsel engaged the Federal Defender's Mitigation Specialist, Luli Buxton, to assist counsel with the preparation of sentencing materials for the Court. Ms. Buxton met then with Mr. Robinson. Based on her meetings and calls with him, Ms. Buxton sent numerous record requests to multiple entities that at some point at come into Mr. Robinson's life. These

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requests sought records from, among others, the Waukesha, Milwaukee, and Dodge County jails, eight different Milwaukee area hospitals, Milwaukee County's Children's Court, Wisconsin's Department of Children and Families, the Social Security Administration, and Milwaukee Public Schools. To date, Federal Defender Services has received nearly 3,000 pages of records. As she's received them, Ms. Buxton has spent numerous hours summarizing the records.

3. In August, Federal Defender Services retained a psychologist to evaluate Mr. Robinson and possibly prepare a report for counsel. The psychologist met with Mr. Robinson during the second week of September, and later a member of her staff conducted some standard testing of Mr. Robinson. The following week, Ms. Buxton sent to the psychologist this large volume of records. Additionally, she has been sending her record summaries as she completes them. Last week on September 24, 2024, the psychologist Federal Defender Services retained contacted counsel and asked if it were possible to reschedule the hearing to provide her with several additional weeks to complete her work on Mr. Robinson's case (with the understanding that she is a busy forensic psychologist with other cases and deadlines).

4. Finally, counsel is contemplating several objections to the guidelines calculations in the draft presentence report and would benefit from additional time to address the draft presentence report.

5. Counsel has spoken to Mr. Robinson about this request and Mr. Robinson agrees with it. Counsel also spoke with Assistant United States Attorney Mike

Schindhelm who informed counsel that the government does not oppose this request for a three-week adjournment of the sentencing hearing.

For these reasons, Demario Robinson asks this Court to adjourn and reschedule the sentencing hearing currently set for October 24, 2024, for a period of approximately three weeks.

Dated at Milwaukee, Wisconsin, this 1st day of October, 2024.

Respectfully submitted,

/s/ John W. Champion
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